

EXTENSIONS OF REMARKS

DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 THROUGH 2009

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 17, 2005

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in support of the Violence Against Women Reauthorization Act. All women and families should be free from fears of violence, but immigrant women face particular problems in confronting this crisis. That is why I am so pleased that provisions of my bill, H.R. 3188, the Immigrant Victims of Violence Protection Act, are included in this legislation.

These immigrant provisions reflect hard bipartisan work of many members of Congress. I especially thank Representatives JOHN CONYERS, Jr. and SHEILA JACKSON-LEE for their leadership on this issue. While VAWA 1994 and 2000 made significant progress in reducing violence against immigrant women, there are still many women and children whose lives are in danger today. Many VAWA-eligible victims of domestic violence, sexual assault, child abuse or trafficking are still being deported.

Congress must remain vigilant in the fight to preserve basic due process rights—the right for immigrants to have a hearing before being deported and the right for battered immigrants to seek protection under VAWA. I want to highlight three concerns that this bill addresses: stopping the practice of immigration agents arresting and deporting battered immigration victims who may be eligible for VAWA relief; allowing the VAWA unit within the Department of Homeland Security (DHS) to use its expertise and specialized training to grant, deny and revoke deferred action; and encouraging DHS to use its existing parole authority to allow approved VAWA self-petitioners who are abroad to enter the U.S. and receive VAWA relief.

A battered immigrant woman was arrested at the steps of a courthouse and detained by immigration enforcement officers. She was on the way to a custody hearing, and the officers had acted upon a tip by her abuser who wanted her deported. She was in fact an approved VAWA self-petitioner and should have been neither detained nor deported. I am very concerned about this and other reported cases where immigrant victims are arrested by immigration enforcement officers at a domestic violence shelter or at a protection order courtroom. This undermines the purpose of VAWA, which is to protect battered immigrant victims.

Section 825(c) of this bill establishes a system to verify that removal proceedings are not based on information provided by the abuser.

When any part of an enforcement action was taken at certain places, DHS must disclose these facts and certify that such an enforcement action was not based on the information provided by the abuser. The list of locations includes: a domestic violence shelter, a rape crisis center, and a courthouse if the alien is appearing in connection with a protection order or child custody case. Immigration and Customs Enforcement (ICE) must stop relying on information provided by an abuser to track down, arrest and deport an immigrant victim or to deny an immigration case she has filed because of the information provided by her abuser. This would protect battered victims from unjust immigration enforcement actions and allow them to protect their children and themselves from further abuse.

Currently, a specially-trained VAWA unit exists within DHS that adjudicates all VAWA immigration cases nationally. Because ICE officers often do not have the expertise and training in domestic violence that this VAWA unit does, the VAWA unit is best equipped to assure consistency of VAWA adjudications, effectively identify eligible cases and deny fraudulent cases. This unit should have exclusive jurisdiction to grant, deny and revoke deferred action. Maintaining a specially-trained unit with consistent and stable staffing and management is also critically important to the effective adjudication of VAWA cases.

Since VAWA 2000, DHS has been using its parole power under INA Section 212(d) to foster reunification of approved VAWA cancellation of removal applicants with their children who would be otherwise stranded abroad with no protection from retaliation from the victim's abusive spouse. For example, a daughter was raped by her father; who was a U.S. military officer stationed in Germany. He was prosecuted in a military tribunal for his crime, and she was approved for VAWA protections, but she did not have a way to enter the United States. In this case, DHS was able to use its parole power to allow her to leave her abusive father in Germany and find a safe home in the United States. Too often, victims have the ability to apply for VAWA immigration protection from abroad, but once their case has been approved are not consistently able to enter the United States where they can receive protection from ongoing abuse. I strongly encourage the Department of Homeland Security to use its authority to grant parole to bring into the U.S. approved VAWA petitioners and their children, thereby offering them protection until they can file for adjustment of status to lawful permanent residency under VAWA.

I urge my colleagues to vote "yes" on the life-saving provisions in VAWA Reauthorization to help protect this vulnerable population. This is an opportunity to eliminate some of the major obstacles immigrant crime survivors

face in achieving safety and legal immigration status.

TERRORIST REWARDS
ENHANCEMENT ACT

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Sunday, December 18, 2005

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of Mr. Kirk's "Terrorist Rewards Enhancement Act of 2005," H.R. 2329, which would permit those eligible in certain circumstances such as an officer or employee of a foreign government to receive a cash reward under the Department of State Rewards program. The value of this rewards program in dealing with terrorists is beyond dispute.

I have introduced a bill that would use a virtually identical rewards program for dealing with commercial alien smuggling operations, the "Commercial Alien Smuggling Elimination Act of 2005," the CASE Act, H.R. 255. It would provide for cash rewards to facilitate the investigation and prosecution, or disruption, of reckless commercial alien smuggling operations.

This is not a controversial idea. The Rewards for Justice Program that was established by the 1984 Act to Combat International Terrorism, Public Law 98-533, has been very successful. The Rewards for Justice Program is administered by the U.S. Department of State's Bureau of Diplomatic Security. It authorizes the Secretary of State to offer rewards for information that prevents or favorably resolves acts of international terrorism against U.S. persons or property worldwide. Rewards also may be paid for information leading to the arrest or conviction of terrorists attempting, committing, conspiring to commit, or aiding and abetting in the commission of such acts. The USA PATRIOT Act of 2001 authorizes the Secretary to offer or pay rewards of greater than \$5 million if he determines that a greater amount is necessary to combat terrorism or to defend the United States against terrorist acts.

A well known success of this program occurred a few years ago when a \$30 million reward was given for critical information that led to the location of Uday and Qusay Hussein. Rewards under the CASE Act, however, would be limited to \$100,000, except as personally authorized by the Secretary of the Homeland Security Department.

I urge you to expand the use of this effective tool to include cash rewards to facilitate the investigation and prosecution, or disruption, of reckless commercial alien smuggling operations.

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